

UNITED STATES COURT OF APPEALS

FEB 4 1998

TENTH CIRCUIT

PATRICK FISHER
Clerk

CONRAD J. BRAUN,

Plaintiff-Appellant,

v.

GARY STOTTS; ROBERT T.
STEPHAN; JAMES FRANCISCO; S. D.
WILSON; DONNA K. BRAUN; JOHN
DOE, Director of Johnson County Victim
Assistance; LYNN STEMM; THOMAS
BATH; LEAWOOD POLICE
DEPARTMENT; WILLIAM
COPELAND; E. MICHAEL WARNER;
JON S. WILLARD; LINDA
COPELAND; VIRGINIA M. HAMMES;
(NFN) MAHER, Parole Officer; KRISTI
HEIBERT; REX DAVIS; VAN EATON;
CHARLES SIMMONS; LUIS ALONZO;
BILL MISKELL; PHIL SWOPES;
SHERMAN PARKS; JOAN
BENGSTON; MICAH ROSS; KANSAS
PAROLE BOARD; (NFN) BROWN, Lt.;
ROBERT N. ROBERTS; WILLIAM
CUMMINGS; ROBERT HANNIGAN;
CHERYL ALLEN; MARK SHERMAN;
TIMOTHY MADDEN; SAM TUCKER;
J. STEPHEN COX; JOE LANGER;
DAVID RAWLINGS; LINDA L.
PARKER; STEPHEN D. HILL; DAN
STEWART; BOARD OF EDUCATION
OF THE SHAWNEE MISSION
SCHOOL,

Defendants-Appellees.

No. 97-3197
(D.C. No. 93-3118-GTV)
(District of Kansas)

ORDER AND JUDGMENT*

Before **PORFILIO, KELLY**, and **HENRY**, Circuit Judges.

After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. See Fed. R. App. P. 34(a); 10th Cir. R. 34.1.9. The case is therefore ordered submitted without oral argument.

This is an appeal from the dismissal of a civil rights action. Our examination of the record indicates the action was correctly dismissed. We **AFFIRM** for the reasons stated in the district court's order of June 19, 1997.

We find this appeal is **FRIVOLOUS** under 28 U.S.C. § 1915(g) and determine this is a "prior occasion" within the meaning of that section. Appellant must pay all of his outstanding appellate fees after full payment of all fees assessed in the district court.

ENTERED FOR THE COURT

John C. Porfilio
Circuit Judge

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. This court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.